

Pergolizzi et al.

Serial No.: 08/479,995

Filed: June 7, 1995

Page 6 [Amendment Under 37 C.F.R. §1.115 (Following Applicants'
December 20, 2002 Request For An Interference And Communication To
Introduce The Request) -- March 13, 2003]

REMARKS

Claims 283-362, 364-380, 382-398, 400-404, 406-439 and 441-505 are pending and allowable. New claims 532-545 have been added. No claims have been amended or canceled by this paper. Accordingly, claims 283-362, 364-380, 382-398, 400-404, 406-439, 441-505 and 532-545 are presented for further examination and disposition.

Lifting or Removal of Suspension

Applicants respectfully request that the suspension of *ex parte* prosecution be lifted or removed so that the requested interference can proceed.¹

New Claims

New dependent claims 532-545 have been added above. These claims are directed to various dependent embodiments that are largely recited in other dependent claims already of record in this application. A table showing support for each of new claims 532-545 is attached as Appendix 5 to Applicants' Second Interference Request, briefly discussed below.

Entry of new claims 532-545 is respectfully requested.

¹ By virtue of three PTO Communications issued in March of 2000, 2001 and 2002, *ex parte* prosecution was suspended due to a potential interference.

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Second Interference Request

Concurrently with this Amendment and attached as Exhibit 1, Applicants are submitting their Second Request For An Interference Pursuant To 37 C.F.R.

§1.607. This Second Request replaces Applicants' first Request filed on December 20, 2002. It is respectfully requested that consideration be given as soon as possible to Applicants' Second Request (Exhibit 1).

Favorable action on this application, including the entry of new claims 532-545 and the attached §1.607 Request (Exhibit 1) is respectfully requested.

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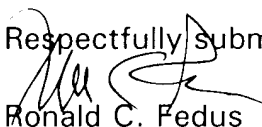
SUMMARY AND CONCLUSIONS

New claims 532-545 have been added to the previously pending and allowable claims of record. No claims have been amended or canceled by this paper. Accordingly, claims 283-362, 364-380, 382-398, 400-404, 406-439, 441-505 and 532-545 are presented for further examination.

The large entity fee for adding new claims 532-545 is \$252.00, based upon the presentation of fourteen (14) additional new dependent claims [14 X \$18 = \$252] above the highest number of previously paid for claims. No other fee or fees are believed due in connection with the filing of this Amendment, the purpose of which is to add some new dependent claims and to submit Applicants' Second Request For An Interference Under 37 C.F.R. §1.607. In the event that any other fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge the amount of any such fee(s) to Deposit Account No. 05-1135, or to credit any overpayment thereto.

If a telephone conversation would further the prosecution of the present application, Applicants' undersigned attorney requests that he be contacted at the number provided below.

Respectfully submitted,


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